

Apr. 6, 2011 5:51PM

No. 9508 P. 2/6

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION

DIAMOND OFFSHORE SERVICES
COMPANY AND DIAMOND
OFFSHORE (USA) LLC,
PLAINTIFF,

VS.

HSBC BANK USA, N.A., HSBC
MEXICO, S.A. AND CONADAT
ISAIAS GOMEZ BERMAN
DEFENDANTS.

STATE OF TEXAS

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COUNTY OF Hidalgo

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CIVIL ACTION NO. 7:10-cv-00168

BEFORE ME, the undersigned authority, on this day personally appeared CONADAT ISAIAS GOMEZ BERMAN the affiant, a person whose identity is known to me. After I administered an oath to affiant, affiant testified:

"My name is CONADAT ISAIAS GOMEZ BERMAN. I am over 18 years of age, of sound mind, and capable of making this affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct.

"I am a defendant in the above entitled and numbered cause. I was served written or Deposition or Written Questions by plaintiff. The following are my sworn answers:

QUESTION 1:

In 2003, did you, Conadat Isaies Gomez Berman (Gomez), become Plaintiff's Regional Administrator in Mexico?

I invoke my rights in accordance with Fifth Amendment to the Constitution of the United State of America and refuse to answer this question.

QUESTION 2:

As Plaintiff's Administrator, did you live and work in Ciudad del Carmen, Mexico, administering shore-based operations for Plaintiff's drilling rigs working in the southern Gulf of Mexico?

I invoke my rights in accordance with Fifth Amendment to the Constitution of the United State of America and refuse to answer this question.

EXHIBIT

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1

Apr. 6. 2011 5:51PM

No. 9508 P. 3/6

QUESTION 3:

As the administrator, did you, Gomez, have access to Plaintiffs' bank accounts, accounts payables, checks, vendors and money?

I invoke my rights in accordance with Fifth Amendment to the Constitution of the United State of America and refuse to answer this question.

QUESTION 4:

Each week, did you cause a "cash statement" to be emailed to Plaintiffs' main office (in Houston, Texas) requesting money to cover checks written the following week from Plaintiffs' HSBC accounts in Mexico?

I invoke my rights in accordance with Fifth Amendment to the Constitution of the United State of America and refuse to answer this question.

QUESTION 5:

Based upon your requests, did Plaintiff purchase Mexican pesos (MPS) and electronically transfer funds from their US accounts to their Mexico HSBC accounts to cover Plaintiffs' operating expenses?

I invoke my rights in accordance with Fifth Amendment to the Constitution of the United State of America and refuse to answer this question.

QUESTION 6:

Was the money Plaintiff transferred to the HSBC bank branch in Campeche, Mexico intended by Plaintiff to be used to pay Plaintiff's expenses related to its operations?

I invoke my rights in accordance with Fifth Amendment to the Constitution of the United State of America and refuse to answer this question.

QUESTION 7:

Did you represent to Plaintiff that the money you requested would be used to pay Plaintiff's expenses related to its operations?

I invoke my rights in accordance with Fifth Amendment to the Constitution of the United State of America and refuse to answer this question.

QUESTION 8:

Did you (Gomez), Emisal Suarez, Roosevelt Rivera and others conspire to embezzle and/or steal a portion of the transferred sums from Plaintiffs' bank accounts?

I invoke my rights in accordance with Fifth Amendment to the Constitution of the United State of America and refuse to answer this question.

Apr. 6. 2011 5:52PM

No. 9508 P. 4/6

QUESTION 9:

In furtherance of the conspiracy between you (Gomez), Emisael Suarez, Roosevelt Rivera and others, did you request money in weekly cash reports to cover the amounts you would embezzle and/or steal from Plaintiffs' accounts?

I invoke my rights in accordance with Fifth Amendment to the Constitution of the United State of America and refuse to answer this question.

QUESTION 10:

After the amounts were transferred by Diamond into its accounts in Mexico, did you process fraudulent invoices and write checks on Plaintiffs' accounts, allegedly paying the fraudulent invoices?

I invoke my rights in accordance with Fifth Amendment to the Constitution of the United State of America and refuse to answer this question.

QUESTION 11:

After writing checks based on fraudulent invoices, did you contact Emisael Suarez and travel to the HSBC bank that Emisael Suarez managed, where Emisael Suarez would endorse the checks and cause them to be deposited in an account created for Isaias Berman, rather than to the payee of the check?

I invoke my rights in accordance with Fifth Amendment to the Constitution of the United State of America and refuse to answer this question.

QUESTION 12:

Are you (Gomez) the Isaias Berman into whose account the fraudulent checks were deposited?

I invoke my rights in accordance with Fifth Amendment to the Constitution of the United State of America and refuse to answer this question.

QUESTION 13:

Did you (Gomez) receive all of the funds deposited into Isaias Berman's account?

I invoke my rights in accordance with Fifth Amendment to the Constitution of the United State of America and refuse to answer this question.

QUESTION 14:

Did you (Gomez) receive all of the money embezzled and/or stolen from Plaintiff?

I invoke my rights in accordance with Fifth Amendment to the Constitution of the United State of America and refuse to answer this question.

Apr. 6. 2011 5:52PM

No. 9508 P. 5/6

QUESTION 15:

Did you solicit funds from Plaintiffs that were withdrawn from their accounts under false pretenses and deposited into your account?

I invoke my rights in accordance with Fifth Amendment to the Constitution of the United States of America and refuse to answer this question.

QUESTION 16:

By June 2009, had you left your employment with Plaintiffs?

I invoke my rights in accordance with Fifth Amendment to the Constitution of the United States of America and refuse to answer this question.

QUESTION 17:

Did you (Gomez) defraud Plaintiff of MP\$14,633,342?

I invoke my rights in accordance with Fifth Amendment to the Constitution of the United States of America and refuse to answer this question.

QUESTION 18:

Did you (Gomez) embezzle MP\$14,633,342 from Plaintiffs?

I invoke my rights in accordance with Fifth Amendment to the Constitution of the United States of America and refuse to answer this question.

QUESTION 19:

Did you make false representations and omissions to Plaintiffs regarding amounts due to vendors and the actual payee of Plaintiffs' checks?

I invoke my rights in accordance with Fifth Amendment to the Constitution of the United States of America and refuse to answer this question.

QUESTION 20:

Did you know that your representations and non-disclosures to Plaintiffs regarding amounts due to vendors and the actual payee of Plaintiffs' checks were false when you made them?

I invoke my rights in accordance with Fifth Amendment to the Constitution of the United States of America and refuse to answer this question.

QUESTION 21:

Did you knowingly make false representations and non-disclosures to Plaintiffs regarding

Apr. 6. 2011 5:53PM

No. 9508 P. 6/6

amounts due to vendors and the actual payee of Plaintiffs' checks for the purpose of obtaining MP\$14,633,342 from Plaintiff?

I invoke my rights in accordance with Fifth Amendment to the Constitution of the United States of America and refuse to answer this question.

QUESTION 22:

Based on your false representations and non-disclosures, did Plaintiff provide funds to the accounts to which you had access?

I invoke my rights in accordance with Fifth Amendment to the Constitution of the United States of America and refuse to answer this question.

QUESTION 23:

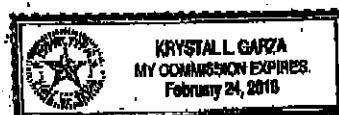
Based on your false representations and non-disclosures, and after Plaintiff provided funds to the accounts to which you had access, did you receive Plaintiff's funds?

I invoke my rights in accordance with Fifth Amendment to the Constitution of the United States of America and refuse to answer this question."

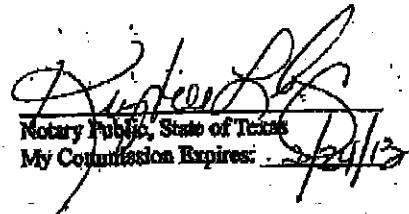


CONRAD ELIAS GOMEZ-BERMAN

Sworn to and subscribed before me by Conrado Elias Gomez-Berman, this 10th day
of April, 2011.



Notary Public, State of Texas
My Commission Expires: 2/24/13



Apr. 6, 2011 5:51PM

No. 9508 P. 1/6

LAW OFFICE OF MICHAEL J. GARZA, P.C.
A PROFESSIONAL CORPORATION
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MCALLEN, TEXAS 78504

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FACSIMILE

DATE SENT: April 6, 2011

TO: Laura P. Haley/ Anthony Weiner

FAX NUMBER: (281) 647-2223 / (713) 659-2908

FROM: Michael J. Garza

NUMBER OF PAGES: (including cover sheet)

RE: 7:10-cv-00168

MESSAGE: Please see the attached.

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